

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

January 16, 2001

**D035054        People v. Harris**

Affirmed. Haller, J.; We Concur: Kremer, P.J., McDonald, J.

**D037194        Frediani v. Superior Court of the County of San Diego/People**

The petition is denied.

**D035298        Jobe v. Amvets Department of California Service Foundation, Inc.**

Judgment affirmed. Haller, J.; We Concur: Kremer, P.J., McDonald, J.

**D033966        People v. Engleman**

The judgment is affirmed. O'Rourke, J.; We Concur: Work, Acting P.J., McIntyre, J.

**D034768        Petrouski v. Dixieline Lumber**

The petition for rehearing is denied.

**D036005        In re Rachel M., a Juvenile**

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

January 17, 2001

**D036446        People v. Lara**

The judgment is affirmed. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

**D034084        People v. Fiero**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J.; O'Rourke, J.

**D037026        In re Savannah R., a Juvenile**

The case is dismissed.

**D037036        In re Daniel H., a Juvenile**

The case is dismissed.

**D036237        In re Joe P., a Juvenile**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

January 18, 2001

**D036966        People v. Sinclair**

The appeal is dismissed in its entirety.

**D035504        Mailhot v. City of San Diego et al/Padres L.P. et al.**

The appeal is dismissed as moot as to Mailhot's challenge to the 1999 Annual Appropriation Ordinance based upon the lack of an EIR. In all other respects the judgment is affirmed. Respondents shall recover their costs on appeal. Nares, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D034571        In re Greg Azurin on Habeas Corpus**

The order is reversed. Kremer, P.J.; We Concur: Nares, J., Haller, J.

**D036414        LeDuc v. Capistrano Unified School District**

The judgment is affirmed. Costs are awarded to respondent. McIntyre, J.;  
We Concur: Huffman, Acting P.J., Nares, J.

**D032320        Norgaard v. LMI Insurance Company et al.**

The motion to vacate the order requiring a prefiling order and dismissal of the appeal filed December 20, 2000, is granted. The orders are vacated. The parties will be notified when the matter is reset on calendar for oral argument.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

January 19, 2001

**D032440      People v. Bowman et al.**

**D033146      People v. Sumner**

(consolidated) Bowman's abstract of judgment is ordered amended to reflect as to count four he was convicted of attempted murder of the first degree. The abstract of judgment for all appellants are ordered corrected by deletion of the section 1202.45 parole conviction fine. In all other respects the judgments are affirmed. Benke, J.; We Concur: Nares, J., McDonald, J.

**D036510      Luxenberg v. La Vine et al.**

The judgment is affirmed. The parties shall bear their own costs on appeal. Nares, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D034471      People v. Fengler**

The judgment is affirmed. Benke, Acting P.J.; We Concur: Nares, J., McDonald, J.

**D035570      San Diego Hotel Company v. Redevelopment Agency of the City of San Diego/**

**D035673      San Diego Padres**

The petition for rehearing is denied.

**D033133      People v. Kaplan**

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

**D034596      People v. Gomez**

The judgment is modified to award Gomez 68 days of presentence conduct credits. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy thereof to the Department of Corrections. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

**D035719      Bensoul v. San Diego County Civil Service Commission**

The judgment is affirmed. All parties shall bear their own costs on appeal. Huffman, J.; We Concur: Kremer, P.J., McDonald, J.

**D037209      Gaffney v. Superior Court of San Diego County/People**

The petition is denied.

**D037192      Jackson v. Superior Court of San Diego County/People**

The petition is denied.

**D037193      Corado v. Superior Court of San Diego County/O'Neill et al.,**

The petition is denied.

**D037203      Tomlanovich v. Superior Court of San Diego County/People**

The petition is denied.

**D034771      In re Marriage of Henry**

On its own motion, the court grants rehearing.